

Judge Thomas S. Zilly

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,) NO. CR06-466TSZ
Plaintiff,) MOTION TO STRIKE AS MOOT
v.) MOTION FOR DEPOSITION
DAVID MENDOZA,)
Defendant.)

Comes now the United States of America, by and through Jeffrey C. Sullivan, United States Attorney for the Western District of Washington, and Susan M. Roe, Assistant United States Attorney, and moves to strike as moot the government's prior motion to take a deposition of a Material Witness, Docket # 33. The motion is moot as the defendant, David Mendoza, has entered a guilty plea and the government no longer needs to perpetuate the testimony of this witness for trial.

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MOTION TO STRIKE AS MOOT
MOTION FOR DEPOSITION/MENDOZA - 1

UNITED STATES ATTORNEY
700 STEWART STREET, SUITE 5220
SEATTLE, WASHINGTON 98101
(206) 553-7970

1 DATED this 23rd day of July, 2009.
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3 Respectfully submitted,
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5 JEFFREY C. SULLIVAN
6 United States Attorney
7

8 *s/ Susan M. Roe*
9 SUSAN M. ROE
10 Assistant United States Attorney
11 WSBA 13000
12 United States Attorney's Office
13 700 Stewart Street, Suite 5220
14 Seattle, WA 98101
15 Telephone: (206) 553-1077
16 Fax: (206) 553-4440
17 E-mail: susan.roe@usdoj.gov
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CERTIFICATE OF SERVICE

I hereby certify that on July 23, 2009 I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the attorney(s) of record for the defendant(s). I hereby certify that I have served the attorney(s) of record for the defendant(s) that are non CM/ECF participants via telefax.

s/Lindsay Erickson
LINDSAY ERICKSON
Legal Assistant
United States Attorney's Office
700 Stewart Street, Suite 5220
Seattle, Washington 98101-1271
Phone: (206) 553-4377
Fax: (206) 553-4440
E-mail: Lindsay.Erickson@usdoj.gov

MOTION TO STRIKE AS MOOT
MOTION FOR DEPOSITION/MENDOZA - 3
CR06-466TSZ

UNITED STATES ATTORNEY
700 STEWART STREET, SUITE 5220
SEATTLE, WASHINGTON 98101
(206) 553-7970